IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

WRIT PETITION NO.2396 OF 2007

Vodafone Essar Limited .... Petitioners
V/s.
State of Maharashtra & Others .... Respondents

Mr.C.U. Singh with Mr.P.B. Anand for the petitioners.
Ms.A.K. Savla for B.M.C. - respondent.
Mr.Shekhar Ingavle, AGP for the State in W.P. No.2395/07.
Mr.D.A. Nalawade, GP for the State in W.P. No.2396/07.

CORAM : SWATANTERKUMAR, C.J.
&
J.P. DEVADHAR, J.

DATED : 5TH DECEMBER 2007.

P.C. :

The learned counsel appearing for the respondents submits that the petitioner, though filed an application for regularisation of the structure raised, has not filed any reply to the notice issued under Section 351 of the Mumbai Municipal Corporation Act, 1888. She further states that if reply is filed to the notice, the Corporation shall consider both the reply and/or the application expeditiously and inform the petitioner.

In view of the statement made, counsel appearing for

the petitioners submit that they would file reply within one week from today, whereafter both the application for regularisation as well as reply to the notice issued under Section 351 of the Act shall be considered by the Competent Authority within a period of six weeks and the petitioners would be informed of that order. If the order is adverse to the petitioners, the same shall not be given effect for a period of two weeks from the date of passing of the order.

If no reply is filed within one week from today, any benefit accrued to the petitioners shall be deemed to have been withdrawn. If such reply is filed within one week, the respondents shall act accordingly but obviously subject to any order passed by the Court of competent jurisdiction in other connected matters.

The writ petition is disposed of accordingly.

CHIEF JUSTICE

J.P. DEVADHAR, J.